



# भारत का राजपत्र

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भाग II—खण्ड 3—उप-खण्ड (ii)  
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इस भाग में भिन्न पृष्ठ संख्या दी जाती हैं जिससे इक यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

कल्याण मंत्रालय

नई दिल्ली, 12 फरवरी, 1986

अधिसूचना

का. आ. 51(अ):—केन्द्रीय सरकार, दरगाह खाजा साहब अधिनियम,  
1955 (1955 का 36) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों  
का प्रयोग करते हुए दरगाह समिति अजमेर के परामर्श से इसके द्वारा ब्रिंगेडियर

**2 THE GAZETTE OF INDIA : EXTRAORDINARY [PART II—SEC. 3(ii)]**

म. ए. खान (सेवा-नियूत) को 2 फरवरी, 1986 से दो वर्ष तक की और अधिक के लिए दरगाह खवाजा साहब का नाजिम नियुक्त करती है।

[स. 11 (6)/83-वक्फ]

संघर मुहम्मद यासीन नदीम, उप-सचिव

**MINISTRY OF WELFARE**

New Delhi, the 12th February, 1986

**NOTIFICATION**

S.O. 51(E).—In exercise of the powers conferred by sub-section (1) of section 9 of the Durgah Khawaja Saheb Act, 1955 (36 of 1955), the Central Government in consultation with the Durgah Committee, Ajmer hereby appoints Brigadier M.A. Khan (Retd.) as Nazim of the Durgah Khawaja Saheb, Ajmer for a further period of two years on and from the 2nd February, 1986.

[No. 11(6)/83-Wakf]

S.M.Y. NADEEM, Dy. Secy.

mutatis mutandis to the Customs Cooperation Council and to its representatives and officers recruited on an international basis with the exception of Article III (Section 10), Article IV [Sections 11(g) and 13], Article V [Section 18(c)], Article VI [Sections 22(d), (e) and (f)] and Article VII and subject to the following modifications :

### MODIFICATIONS

In the Schedule to the said Act, —

1. Unless otherwise expressly provided in this notification for the words "The United Nations" wherever they occur, the words "The Customs Cooperation Council" shall be substituted.

#### 2. In Article I, —

(1) Section 1 shall be renumbered as Section 1A and before section 1A as so renumbered, the following section shall be inserted, namely :—

"Section 1:—In this Schedule, —

(i) "property and assets" include property and funds administered by the Customs Cooperation Council in furtherance of its constitutional functions ;

(ii) "representatives of Members" means all representatives, alternates, advisers, technical experts and secretaries of delegations.

(2) In section 1A as so re-numbered, the following explanation shall be added at the end, namely :—

"Explanation.—Nothing in this section shall General shall act on behalf of the Customs Cooperation Council."

#### 3. In Article III,—

In section 9, the following explanation shall be added at the end, namely :—

"Explanation.—Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between the Customs Cooperation Council and any of its Members."

#### 4. In Article IV.—

(1) In sections 11, 12 and 13 for the words "representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations", the words "representatives of Members at meetings of the Customs Cooperation Council, the Permanent Technical Committee and Committees of the Customs Cooperation Council" shall be substituted.

(2) In section 11, for clause (f) the following clause shall be substituted, namely :—

"the same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions."

#### 5. In Article V,

(1) For section 17, the following shall be substituted, namely :—

"Section 17—The Customs Cooperation Council may specify the categories of the officials to which this Article shall apply. The Secretary General of Customs Co-operation shall communicate to its Members the names of the officials included in these categories."

(2) In section 18—(a) in clause (a), the following words shall be inserted at the end, namely :—

"and within the limits of their authority";

(b) in clause (e), for the words "officials of comparable ranks forming part of diplomatic missions to the Government concerned" the words "officials of comparable rank of diplomatic missions" shall be substituted;

(c) in clause (f), for the words "diplomatic envoys" the words "officials of comparable rank of diplomatic missions" shall be substituted;

(d) in clause (g), the following words shall be inserted at the end, namely :—

"and to take back such furniture and effects free of duty on the completion of their assessment."

(3) For section 19, the following shall be substituted, namely :—

"Section 19—In addition to the privileges and immunities specified in Section 18, the Secretary-General of the Customs Cooperation Council shall be accorded in respect of himself, his spouse and children under the age of 21, the privileges, immunities, exemptions and facilities accorded to heads of diplomatic missions in conformity with international law.

The Deputy Secretary-General of the Customs Co-operation Council shall enjoy the privileges, immunities, exemptions and facilities accorded to diplomatic representatives of comparable rank."

(4) In section 20, for the word "Security Council" the word "Customs Co-operation Council" shall be substituted,

#### 6. In Article VI,—

(1) In section 22—(a) in the opening clause, for the words "privileges and immunities" shall be substituted;

(b) For clause (b), the following shall be substituted, namely :

"(b) in respect of words spoken or written or thinks done by them in the performance of their duties, immunity from legal process;"

7. After Article VI, the following Article shall be inserted, namely :—

"Article VI. A

## ABUSE OF PRIVILEGES

**Section 23A:**—Representatives of Members of Customs Co-operation Council at the meeting of the Council, its Permanent Technical Committee or other Committees shall, while on official duty and during their journeys to and from the place of meeting in India and officials within the meaning of sections 17 and 22, shall not be required by the appropriate Indian authorities to leave the country on account of any activities by them in their official capacity. In case, however, of abuse of privileges of residence committed by any such person, in activities in India which fall outside his official functions such person may be required to leave India by the Government of India provided that :—

- (i) Representatives of Members of the Council, or persons who are entitled diplomatic immunity under section 19, shall not be required to leave India otherwise than in accordance with the diplomatic procedure applicable to diplomatic envoys accredited to India.
- (ii) In the case of an official to whom section 19 is not applicable, no order to leave

India shall be issued other than with the approval of the Foreign Minister of India, and such approval shall be given only after consultation with the Secretary General of the Customs Cooperation Council, and if expulsion proceedings are taken against an official, the Secretary-General of the Customs Cooperation Council shall have the right to appear in such proceedings on behalf of the person against whom they are instituted.

## SECTION 23 B

The Secretary General of the Customs Co-operation Council shall co-operate at all times with the appropriate Indian authorities for facilitating the proper administration of justice, observance of police regulations and prevention of any abuses in connection with the privileges, immunities and facilities enumerated in this Schedule.”

{No. D.II/451/84(16/1)}

S. HAIDAR, Chief of Protocol